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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/851,732 | 05/08/2001 | Timothy M. Dubois | ORCL-0010801 | 3656 |

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| EXAMINER | |
|---|---|
| HECK, MICHAEL C | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 3623 | |

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 09/851,732 | DUBOIS ET AL. | |
| | Examiner | Art Unit | |
| | Michael C. Heck | 3623 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *12 September 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *08 May 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

## DETAILED ACTION

1. This Non-final Office Action is responsive to applicant's amendment filed 12 September 2005. Applicant amended claims 11 and 15. Currently, claims 1-20 are pending.

### *Response to Amendment*

2. The objection to the drawings in the last Office Action has been overcome by the applicant's submission of a replacement sheet for figure 8.

3. The objection to the specification in the last Office Action has been overcome by the applicant's amendment to the specification.

### *Response to Arguments*

4. Applicant's arguments, see Amendment, p. 13-24, filed 12 September 2005, with respect to the rejections of claims 1-20 under 35 USC 102 and 35 USC 103, have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Joshi et al. (U.S. Patent 6,532,427) in combination with Hsiung et al. (U.S. Patent 6,853,920). Applicant submits that the embodiments of the invention are neither shown nor suggested by Joshi et al. Specifically, the applicant submits that Joshi et al. is completely silent with respect to allowing a user to select performance measures to be analyzed from an electronic document generated in response to a user request to a website, and asserts that Joshi et al. only allows the user to view results of previously

performed analysis. Additionally, the applicant submits that Joshi et al. is silent with respect to delivering a Hyper-Text Markup Language document, via the Internet or via any other means, in response to user-generated requests. Also the applicant submits that Joshi et al. is silent with respect to a host computer in a business intelligence system that performs a statistical analysis of a performance measure for a data set in response to a user generated request received from a peripheral computer.

In response, Joshi et al. teaches the invention is related to the field of data mining, and in particular to tools for automating the collection, analysis, and presentation of data such as manufacturing process control data. It has been known that a user would use a workstation-based applications such as SAS (Statistical Analysis software) in conjunction with legacy data-collection application such as PROMIS where the basic operation has been to invoke PROMIS to extract desired data and then invoke SAS to perform a desired analysis on the data and present the results in a desired fashion. The overall process has been cumbersome and inefficient. Specifically, a user is required to engage in rote dialog with PROMIS to perform the data extraction, manually copy the data from the server to the SAS workstation, perform any necessary file conversions, and invoke SAS in the correct manner to do the desired analysis and presentation. The entire process must be performed for each data set of interest. Joshi et al. teaches the SPC information is presented to users in an easy-to-use, hypertext-based form, enabling the user to make even more effective use of the time spent reviewing the gathered data. A command file is generated including a command for invoking a process data extraction program such as PROMIS using the

contents of a script file as input, and a command for copying an extracted data file generated by the process data extraction program to the analysis information system. The users interact with the SPC information system via a hypertext-based or Web-like interface. User-accessible information is organized into a private web site that can be viewed using a standard browser over a corporate "intranet", for example. At a "home page", the user can indicate which data is to be viewed by clicking on the associated hyperlinks. The Get Data/Extract function includes the SAS macro "get_data". "Get_date" is the name of generic code that becomes specific code when the user provides values of certain parameters, such as "dir" and "dcop". The parameter "dir" specifies a directory, and "dcop" specifies the name of a data collection operation (col. 1, line 25-28, col. 2, lines 1-51, col. 3, line 63 to col. 4, line 1 and col. 5, line 28-36). Hsiung et al. teach a system for monitoring an industrial process and taking action based on the results of the process monitoring. A process may be monitored and/or controlled by comparing the current state of a first process to current, historical, and/or predicted states of the first process or of a second process through the use of statistical, structural, or physical models. Because of its web-based architecture, the system permits monitoring and/or control over a process to be performed by a user located virtually anywhere. The system includes a variety of sub-systems that are integrated and coupled with one another through a web-based architecture. One example of such a sub-system is a wide-area network, which may comprise, for example, the Internet, and intranet, or another type of network (Abstract, col. 2, lines 59-63, col. 3, lines 42-63, col. 4, lines 41-47). Clearly, the combination of Joshi et al. and Hsiung et al. teach that

the user selects performance measures to be analyzed from an electronic document generated in response to a user request to a website and can view the results of their request. Also, a hyper-text markup language document, via the Internet or via any other means, in response to user-generated requests is delivered, i.e. hyperlinks; and a host computer is used in a business intelligence system that performs a statistical analysis of a performance measure for a data set in response to a user generated request received from a peripheral computer.

The Examiner notes that a "hyperlink" as defined by the Microsoft Press Computer Dictionary, Third Edition (Microsoft Press Computer Dictionary, Third Edition, Microsoft Press, 1997) is a connection between an element in a hypertext document, such as a word, phrase, symbol, or image, and a different element in a document, another hypertext document, a file, or a script. The user activates the link by clicking on the linked element, which us usually underlined or in a color different from the rest of the document to indicate that the element is linked. Hyperlinks are indicated in a hypertext document through tags in markup languages such as SGML and HTML.

Please see the 35 USC 103 rejections below.

### *Claim Rejections - 35 USC § 103*

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. **Claims 1, 2, 11, 12, 15 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Joshi et al. (U.S. Patent 6,532,427) in view of Hsiung et al. (U.S. Patent 6,853,920). Joshi et al. disclose a six sigma enabled web-based business intelligence system comprising:

- **[Claim 1]** a) transferring an electronic document to said user, wherein said electronic document allows said user to select a performance measure to be analyzed for a data set in said enterprise wide business data (col. 2, lines 1-51, col. 3, line 63 to col. 4, line 1 and col. 5, line 28-36, Joshi et al. teaches the SPC information is presented to users in an easy-to-use, hypertext-based form, enabling the user to make even more effective use of the time spent reviewing the gathered data. A command file is generated including a command for invoking a process data extraction program such as PROMIS using the contents of a script file as input, and a command for copying an extracted data file generated by the process data extraction program to the analysis information system. The users interact with the SPC information system via a hypertext-based or Web-like interface. User-accessible information is organized into a private web site that can be viewed using a standard browser over a corporate "intranet", for example. At a "home page", the user can indicate which data is to be viewed by clicking on the associated hyperlinks. The Get Data/Extract function includes the SAS macro "get_data". "Get_date" is the name of generic code that becomes specific code when the user provides values of certain parameters, such as "dir" and "dcop". The parameter "dir" specifies a directory, and "dcop" specifies the name of a data collection operation.);

- b) in response to a request from said user, performing a statistical analysis of said performance measure (col. 4, line 67 to col. 5, line 5, Joshi et al. teach raw process data is gathered and statistical analysis is performed.); and

- c) transferring an electronic copy of said statistical analysis to said user (col. 4, line 67 to col. 5, line 5, Joshi et al. teach raw process data is gathered and statistical analysis is performed, and files presenting the results are created and placed in a browsable collection accessible to the user.).

Joshi et al. fail to teach the transferring is in response to a user request to a web site operable to access said enterprise wide business data and to provide statistical analysis of said enterprise wide business data. The Examiner interprets "web site" to infer the

Internet. Hsiung et al. teach a system for monitoring an industrial process and taking action based on the results of the process monitoring. A process may be monitored and/or controlled by comparing the current state of a first process to current, historical, and/or predicted states of the first process or of a second process through the use of statistical, structural, or physical models. Because of its web-based architecture, the system permits monitoring and/or control over a process to be performed by a user located virtually anywhere. The system includes a variety of sub-systems that are integrated and coupled with one another through a web-based architecture. One example of such a sub-system is a wide-area network, which may comprise, for example, the Internet, and intranet, or another type of network (Abstract, col. 2, lines 59-63, col. 3, lines 42-63, col. 4, lines 41-47). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to modify Joshi et al. with the Internet capability of Hsiung et al. since Joshi et al. teach user-accessible information is organized into a private web site that can be viewed using a standard browser (col. 3, lines 63-66). Having immediate access to data makes the analysis of the data more efficient and timely. Joshi et al. teach the SPC information is presented to users in an easy-to-use, hypertext-based form, enabling the user to make even more effective use of the time spent reviewing the gathered data (col. 2, lines 27-31). Hsiung et al. teach the system permits monitoring and/or control over a process to be performed by a user located virtually anywhere and permits monitoring an control over a process in real time, such that information about the process can rapidly be analyzed by a variety of techniques, with corrective steps based upon the analysis implemented

immediately (col. 3, lines 42-63). Therefore, having immediate access to data makes the analysis of the data more efficient and timely since corrective steps can be implemented immediately. Both Joshi et al. and Hsiung et al. teach monitoring industrial process therefore there is a motivation or suggestion to combine. A reasonable expectation of success exist since Joshi et al. uses a web-based architecture and Hsiung et al. expands process monitoring to the Web. Joshi et al. and Hsiung et al. teach or suggest all the elements of the claimed invention as indicated above.

- **[Claim 2]** c1) transferring a Hyper-Text Markup Language document comprising said statistical analysis in histogram format (Joshi et al.: Abstract, col. 3, line 62 to col. 4, line 1, Joshi et al. teach the analysis information system performs statistical analysis on the extracted data file and creates graphical SPC charts files, including a hypertext summary, and these are posted in a network-accessible database for users. The users interact with the SPC information system via a hypertext-based or Web-like interface. User-accessible information is organized into a private web site that can be viewed using a standard browser over a corporate "intranet", for example. At a "home page", the user can indicate which data is to be viewed by clicking on the associated hyperlinks. The examiner interprets hyperlinks to include hypertext document through tags in markup languages such as SGML and HTML. Hsiung et al.: Table 5, Chart Types, Hsiung et al. teach a Histogram.).

- **[Claim 15]** a) in response to a user-generated request received from a peripheral computer system, a host computer system transferring an electronic document to said peripheral computer system, wherein said electronic document has selectable fields for a plurality of dimensions to select a data set accessible by said host computer system (Joshi et al.: col. 2, lines 1-51, col. 3, line 63 to col. 4, line 1 and col. 5, line 28-36, Joshi et al. teaches the SPC information is presented to users in an easy-to-use, hypertext-based form, enabling the user to make even more effective use of the time spent reviewing the gathered data. A command file is generated including a command for invoking a process data extraction program such as PROMIS using the contents of a script file as input, and a command for copying an extracted data file generated by the process data extraction program to the analysis information system. The users interact with the SPC information system via a hypertext-based or Web-like interface. User-

accessible information is organized into a private web site that can be viewed using a standard browser over a corporate "intranet", for example. At a "home page", the user can indicate which data is to be viewed by clicking on the associated hyperlinks. The Get Data/Extract function includes the SAS macro "get_data". "Get_date" is the name of generic code that becomes specific code when the user provides values of certain parameters, such as "dir" and "dcop". The parameter "dir" specifies a directory, and "dcop" specifies the name of a data collection operation. Hsiung et al.: Abstract, col. 2, lines 59-63, col. 3, lines 42-63, col. 4, lines 41-47, Hsiung et al. teach a system for monitoring an industrial process and taking action based on the results of the process monitoring. A process may be monitored and/or controlled by comparing the current state of a first process to current, historical, and/or predicted states of the first process or of a second process through the use of statistical, structural, or physical models. Because of its web-based architecture, the system permits monitoring and/or control over a process to be performed by a user located virtually anywhere. The system includes a variety of sub-systems that are integrated and coupled with one another through a web-based architecture. One example of such a sub-system is a wide-area network, which may comprise, for example, the Internet, and intranet, or another type of network.);

- b) in response to a user-generated request received from said peripheral computer for a statistical analysis of a performance measure for said data set, said host computer system performing said statistical analysis (Joshi et al.: Abstract, Joshi et al. teach the analysis information system performs statistical analysis on the extracted data file and creates graphical SPC chart files.); and

- c) said host computer system electronically transferring an electronically viewable version of said statistical analysis to said peripheral computer system (Joshi et al.: Abstract, Joshi et al. teach the analysis information system performs statistical analysis on the extracted data file and creates graphical SPC chart files, including a hypertext summary, and these are posted in a network-accessible database for users.).

- **[Claim 16]** d) collecting said data from a plurality of databases (Joshi et al.: col. 3, lines 51-63, Joshi et al. teach the SPC information system includes various data processing equipment and programs for collecting, storing, retrieving, and analyzing raw process data. The raw process data enters the SPC information system at the various work centers.); and

- e) formatting said data in a single format, wherein data from multiple databases in multiple formats is converted to a single format and stored on a single database, and wherein said peripheral computer system does not have

direct access to said databases (Joshi et al.: col. 3, lines 33-63, Joshi et al. teach the SPC information system includes various data processing equipment and programs for collecting, storing, retrieving, and analyzing raw process data. The raw process data enters the SPC information system at the various work centers. Work centers included a lithography (litho) work center, etch work center, diffusion work center, and other work centers of a semiconductor manufacturing facility. For example, an operator in the litho work center takes CD measurements on wafers after lithographic processing, and enters the measurements into the SPC information system via a computer terminal, workstation, or similar input device. Similar activities occur at other workstations. The raw process data is gathered, or "extracted"., from the process information system, statistical analysis is performed on the extracted data, and files presenting the results of the statistical analysis are created. These files are placed in a browsable collection accessible to the user. The Examiner interprets the information gathered is for different types of measure (I.e., temperature, concentration or physical dimensions) and is formatted to be used by the system, and the data flow process used prevents users from having direct access to the raw process information once entered and analyzed.).

**Claims 11 and 12** substantially recite the same limitations as that of claims 1, 15 and 16 with the distinction of the recited method being a system. Hence the same rejection for claims 1, 15 and 16 as applied above applies to claims 11 and 12.

7. **Claims 3-10, 13, 14 and 17-20** are rejected under 35 U.S.C. 103(a) as being unpatentable over Joshi et al. (U.S. Patent 6,532,427) in view of Hsiung et al. (U.S. Patent 6,853,920) and further in view of Stephen Quality Software (Stephen Quality Software, SPC Software - DataLyzer® Spectrum, October 13, 1999 [online: URL www.datalyzer.com [WAYBACK Machine] retrieved on 31 May 2005). Joshi et al. and Hsiung et al. disclose a six sigma enabled web-based business intelligence system but fail to teach d) overlaying on said histogram an indicator of a statistical mean and an indicator of a user specified target limit. Stephen Quality Software teach DataLyzer®

Spectrum will calculate control limits or they can be set manually. Chart 29 shows mean and the Upper and Lower Specification Limit (Para 12 and Chart 29). It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to include the DataLyzer® Spectrum SPC software of Stephen Quality Software with the teachings of Joshi et al. and Hsiung et al. since Joshi et al. teach using a widely used statistical analysis tool, i.e., SAS (Statistical Analysis Software) (col. 1, lines 42-46). Being able to analyze data is key to implementing corrective action. Joshi et al. teach the method and apparatus for gathering statistical process control (SPC) information and presenting the SPC information to personnel are flexible and highly automated, enhancing the ease and efficiency of their use. The SPC information presented to users enables the users to make even more effective user of the time spent reviewing the gathered data (col. 2, lines 21-31). Stephen Quality Software teach having immediate process feedback allows operators to be more efficient in making decision that impact product quality. ODBC "open database connective" file structure makes DataLyzer® Spectrum data universally available to other applications. Real time input (variable, Attribute, Histogram/Incoming Inspection) allows immediate response to process problems (Para 10 and 11). Therefore, implementing a corrective action is the result of being able to analyze the data. The combination of Joshi et al., Hsiung et al. and Stephen Quality Software results in getting immediate process feedback that allows operators to be more efficient in making decision that impact product quality. Joshi et al., Hsiung et al. and Stephen Quality Software teach automating data collection, and charting and analyzing the data using Statistical

Process Control techniques, therefore motivation to combine and expectation to be successful exist. All features of the claimed invention are taught by the combination of Joshi et al., Hsiung et al. and Stephen Quality Software.

- **[Claim 4]** e) highlighting the area of said histogram outside of said user specified target limit, wherein the relative number of defects are graphically visible (Stephen Quality Software: Para 28 and Chart 29, Stephen Quality Software teach percent below lower specification and percent above upper specification. The Examiner interprets "highlighting the area" to be displaying and making the user aware of the information to include displaying the information of the chart as displayed in Chart 29.).

- **[Claim 5]** d) in response to an electronic request from said user, running a simulation to determine the effect varying a user specified statistical parameter of a plurality of statistical parameters has on another statistical parameter (Stephen Quality Software: Para 12 and 19, Stephen Quality Software teach DataLyzer® Spectrum will calculate control limits or they can be set manually. Math functions can be used to manipulate current readings, constants, process parameters and other characteristics. The Examiner interprets that as the user is manually or mathematically manipulating the characteristics, the graph shows the impact on other statistical parameters, the user is simulating real-time conditions.); and

- e) electronically transferring the results of said simulation to said user, wherein the user is presented a graphical display providing information to assist in quality improvement (Stephen Quality Software: Para 26, Stephen Quality Software teach real-time data entry control charts is instantly available for Capability Study/Histogram reports.).

- **[Claim 6]** wherein said plurality of statistical parameters comprise statistical mean, standard deviation, a user specified target, actual percentage of data above and below said user specified target, and sigma value (Stephen Quality Software: Para 12 and 28, Stephen Quality Software teach control limits can be set manually. Mean, sigma, three, four, five, and six sigma limits, percent below lower specification and percent above upper specification are displayed on the Histogram report. The Examiner interprets the manually set control limits to be a user specified target.).

- **[Claim 7]** d) in response to a user request, determining a trend of a statistical parameter over time (Stephen Quality Software: Para 17 and 21, Stephen Quality Software teach storing unlimited sets of stepped control limits to track

reoccurring process shifts, and users-selectable process shift and stratification analysis, including Western Electric run and trend rules.); and

- e) electronically transferring a Hyper-Text Markup Language document comprising a display of said trend (Joshi et al.: Abstract, Joshi et al. teach the analysis information system performs statistical analysis on the extracted data file and creates graphical SPC charts files, including a hypertext summary, and these are posted in a network-accessible database for users.).

- **[Claim 8]** wherein said statistical parameter is a sigma value (Stephen Quality Software: Para 28, Stephen Quality Software teach upper and lower Z values are displayed on the reports.).

- **[Claim 9]** d) as new data is added to said business data, determining if a statistical parameter for said performance measure is outside a user specified target (Stephen Quality Software: Para 12 and 15, Stephen Quality Software teach real-time data collection and real-time statistical indicators show 20+ alarm conditions in red, green, yellow and other color flags. The Examiner interprets real-time data collection and indicators suggests a determination is made as to whether the performance measure is outside a user specified target.); and

- e) automatically notifying said user if said step d) is true, wherein said notification comprises an electronically delivered message to a user specified node (Stephen Quality Software: Para 11, 12 and 26, Stephen Quality Software teach real-time data collection and real-time statistical indicators show 20+ alarm conditions in read, green, yellow and other color flags. Real-time input allows immediate response to process problems. Real-time data entry control charts are instantly available. The Examiner interprets real-time collection, real-time indicators and real-time control charts that are instantly available suggest the user is notified.).

- **[Claim 10]** wherein said step d) comprises the step of: d1) analyzing said performance measure according to a periodic rate specified by said user (Stephen Quality Software: Para 26, Stephen Quality Software teach a batch report facility allows reoccurring sets of reports to be printed instantly.).

- **[Claim 14]** format said statistical analysis in histogram format, wherein the statistical variation in said performance measures is graphically presented to said user through a web-page, and to overlay on said histogram an indicator of a user specified limit, wherein the data that lie outside the limit are graphically visible (Joshi et al.: Abstract, col. 3, line 62 to col. 4, line 1, Joshi et al. teach the analysis information system performs statistical analysis on the extracted data file and creates graphical SPC charts files, including a

hypertext summary, and these are posted in a network-accessible database for users. The users interact with the SPC information system via a hypertext-based or Web-like interface. User-accessible information is organized into a private web site that can be viewed using a standard browser over a corporate "intranet", for example. At a "home page", the user can indicate which data is to be viewed by clicking on the associated hyperlinks. The examiner interprets hyperlinks to include hypertext document through tags in markup languages such as SGML and HTML. Hsiung et al.: Abstract, col. 2, lines 59-63, col. 3, lines 42-63, col. 4, lines 41-47, Col. 55, Table 5, Chart Types, Hsiung et al. teach a system for monitoring an industrial process and taking action based on the results of the process monitoring. A process may be monitored and/or controlled by comparing the current state of a first process to current, historical, and/or predicted states of the first process or of a second process through the use of statistical, structural, or physical models. Because of its web-based architecture, the system permits monitoring and/or control over a process to be performed by a user located virtually anywhere. The system includes a variety of sub-systems that are integrated and coupled with one another through a web-based architecture. One example of such a sub-system is a wide-area network, which may comprise, for example, the Internet, and intranet, or another type of network. A Histogram chart type is indicated. Stephen Quality Software: Para 28 and Chart 29, Stephen Quality Software teach percent below lower specification and percent above upper specification. The Examiner interprets "highlighting the area" to be displaying and making the user aware of the information to include displaying the information of the chart as displayed in Chart 29.)

- **[Claim 17]** a standardized presentation of said statistical analysis is available to multiple distributed peripheral computer systems (Stephen Quality Software: Para 26, Stephen Quality Software teach a batch report facility allows reoccurring sets of reports to be printed instantly. Joshi et al.: Figure 2 and col. 4, lines 6-20, Joshi et al. teach a hypertext data summary that is a table where each row includes data corresponding to a particular data collection operation.).

- **[Claim 18]** said step c) comprises the step of: c1) formatting said statistical analysis in graphical format, wherein the variance of said data set is graphically viewable (Stephen Quality Software: Para 28-29, Stephen Quality Software teach a graph that shows percent below lower specification and percent above upper specification.).

- **[Claim 19]** said step c1) comprises the step of highlighting data points which are outside of a target range, wherein the relative number of defective data are viewable (Stephen Quality Software: Para 12 and 28-29, Stephen Quality Software teach a graph that shows percent below lower specification and

percent above upper specification. Real-time statistical indicators show 20+ alarm conditions in read, green, yellow and other color flags.).

- **[Claim 20]** the steps of: d) in response to an electronically transferred request from said peripheral computer system, running a simulation on said statistical analysis by varying a statistical parameter (Stephen Quality Software: Para 12 and 19, Stephen Quality Software teach DataLyzer® Spectrum will calculate control limits or they can be set manually. Math functions can be used to manipulate current readings, constants, process parameters and other characteristics. The Examiner interprets that as the user is manually or mathematically manipulating the characteristics, the graph shows the impact on other statistical parameters, the user is simulating real-time conditions.); and

- e) electronically transferring the results of said simulation to said peripheral computer system, wherein a user is allowed to see the effect of changing said statistical parameter (Stephen Quality Software: Para 26, Stephen Quality Software teach real-time data entry control charts is instantly available for Capability Study/Histogram reports.).

**Claim 13** substantially recites the same limitations as that of claims 9 and 19 with the distinction of the recited method being a system. Hence the same rejection for claims 9 and 19 as applied above applies to claims 13.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Michael C. Heck whose telephone number is (571) 272-6730. The Examiner can normally be reached Monday thru Friday between the hours of 8:30am - 4:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq R. Hafiz can be reached on (571) 273-6729.

Any response to this action should be mailed to:

**Director of the United States Patent and Trademark Office**
**P.O. Box 1450**
**Alexandria, Virginia 22313-1450**

Or faxed to:

| | |
|---|---|
| **(571) 273-8300** | [Official communications; including After Final communications labeled "**Box AF**"] |
| **(571) 273-6730** | [Informal/Draft communication, labeled "**PROPOSED**" or "**DRAFT**"] |

mch
04 November 2005

TARIQ R. HAFIZ
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600